

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

400A0744

HOUSE BILL NO. 1222

Introduced by: Representatives Brown (Richard), Broderick, Lucas, Schaunaman, and Wetz
and Senators Olson and Paisley

1 FOR AN ACT ENTITLED, An Act to establish a universal telecommunications service fund.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 There is hereby created in the state treasury a universal service fund. The purpose of the fund
6 is, through cost supports, to provide quality and reliable telecommunications facilities and
7 services at reasonable rates to all South Dakota consumers, including low income individuals and
8 individuals residing in rural and high cost service areas. Every telecommunications company that
9 provides telecommunications services in this state shall contribute, on an equitable and
10 nondiscriminatory basis, to the fund. The commission may exempt a carrier or class of carriers
11 from this requirement if the carrier's telecommunications activities are limited to such an extent
12 that the level of the carrier's contribution to the preservation and advancement of universal
13 service would be minimal. The commission, upon petition of any telecommunications company
14 and a finding of public interest, shall establish when contributions to the fund shall begin.

15 Section 2. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 Money deposited in the universal service fund is continuously appropriated to the
3 commission for the funding of universal telecommunications service. The commission may make
4 deposits into the disbursements from the fund for the purpose of funding universal
5 telecommunications services pursuant to its administrative rules.

6 Section 3. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 The commission may promulgate rules pursuant to chapter 1-26 to define universal service,
9 to administer a universal service fund, to adopt standards for the preservation and advancement
10 of universal service, and to establish procedures for the collection of money for the fund and
11 disbursement of money from the fund.